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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/805,909	03/22/2004	Steve A. DeLuca	MFCP.112965	2022

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INTELLECTUAL PROPERTY DEPARTMENT
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EXAMINER

HAILU, TADESSE

ART UNIT	PAPER NUMBER
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2173

MAIL DATE	DELIVERY MODE
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10/29/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/805,909

Applicant(s)

DELUCA ET AL.

Examiner

Tadesse Hailu

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 12/21/06
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

1. This Office Action is in response to the preliminary amendment filed March 22, 2004.
2. The Information Disclosure Statement with references submitted Dec 21, 2006 have been considered and entered into the file.
3. Claims 1-17 were canceled during the preliminary amendment, the remaining claims 18 through 28 are examined herein as follows.

Claim Rejections - 35 USC § 101

The claimed invention is directed to non-statutory subject matter. Claim 27 is NOT limited to tangible embodiments, that is to say the claimed computer-readable medium is not limited to computer storage media. As described in published application paragraph 39 the media may also includes communication media which typically embodies computer readable instructions, data structures, program modules or other data in a modulated data signal such as a carrier wave or other transport mechanism and includes any information delivery media. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

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4. Claims 18-28 are rejected under 35 U.S.C. 102(a) as being anticipated by Nakano et al (5,956,733).

Nakano relates to a network archiver system e.g. for data file compression and reconstruction - has archiver forming module compressing data file on network and stores it into archiver and in response to referring request compressed data file is read out and reconstructed on the network.

With regard to claim 18:

Nakano discloses a computer system having a graphical user interface including a display and a user interface selection device (see Fig. 8, 9, etc), a method of archiving within a client management tool, the method comprising:

as per "receiving an entry selection indicative of a user selection to archive client management data." Nakano substantially describes such limitation. For example, in Fig. 8, when a user is intended to store a data file, for example, a document data file serving as working contents, which are formed by the sharing group into the archiver on the network, it is sufficient to click the icon 50 for formation by the mouse (column 11, lines 22-45).

As per "obtaining a selection of a set of client management data;" Nakano substantially describes such limitation. For example, FIG. 9 is an explanatory diagram of a catalog list, which is obtained by a selection of a formation in the initial picture plane of FIG. 8 (also see the flowchart of Fig. 22, 28 or 36).

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And as per "creating the selected archive file within the client management tool." Nakano substantially describes such limitation. For example, FIG. 11 is an explanatory diagram of a constructed (created) archive file (i.e., created from the list of Fig. 10).

With regard to claim 19:

Nakano substantially describes displaying an entry selection indicative of a date in which to extend the archive (e.g., see the displayed and selectable date of formation or reconstruction date , Fig. 8, 9, etc).

With regard to claim 20:

Nakano substantially describes displaying an entry selection indicative of a user designation of the date in which to extend the archive. For example, see a selectable and modifiable interface or icon for daily, weekly, or monthly archive report in Fig. 11, 13, etc).

With regard to claim 21:

Nakano substantially describes receiving an entry selection indicative of a user selection to restore an archived file. For example, see the user reconstructed or restored lists in FIG. 34).

With regard to claim 22:

Nakano substantially describes displaying a list of archived files (e.g., Fig. 15), wherein the step of receiving the user selection to restore an archive file includes selecting one of the files in the list (Fig. 15, 34, etc).

With regard to claim 23:

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Nakano substantially describes receiving an entry selection indicative of a user selection to delete an archived file. (column 5, line 50).

With regard to claim 24:

Nakano substantially describes displaying a list of archived files, wherein the step of receiving the user selection to delete an archive file includes selecting one of the files in the list (e.g., for example, in Fig. 15, 18, 32, 34, etc, user may focus (via cursor positioning) at any one of the displayed lists to delete one of the lists in Fig. 15, 18, 20)

With regard to claims 25 and 26:

Nakano substantially describes that the obtaining step occurs prior to the receiving step (for example. User may interact with (apply input) to archive client (i.e. archive system) or obtain data before interacting with module (column 2, lines 48- column 3, lines 4, also Fig. 35).

With regard to claim 27:

Nakano also discloses a computer-readable medium having computer-executable instructions for performing the steps recited in claim 18 (For example, Fig. 4).

With regard to claim 28:

Nakano also discloses a computer system having a processor, a memory, and an operating environment, the computer system operable to execute the steps recited in claim 18 (see Fig. 1, for example).

CONCLUSION

5. Examiner has pointed out particular references contained in the prior arts of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and Figures may apply as well. It is respectfully requested from the applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

6. Information regarding the status of an application may be obtained from the patent application information retrieval (PAIR) system. Status information for published application may be obtained from either Private –PAIR or Public-PAIR. Status information for unpublished applications is available through Private-PAIR only. For more information about the PAIR system, please see pair-direct.uspto.gov web site. Should you have questions regarding access to the PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

7. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Tadesse Hailu, whose telephone number is (571) 272-4051. The Examiner can normally be reached on M-F from 10:30 – 7:00 ET. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, John Cabeca, can be reached at (571) 272-4048 Art Unit 2173.

Examiner Tadesse Hailu

Art Unit 2173 – Operator Interface 10/24/07

TADESSE HAILU
PRIMARY EXAMINER

